

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. Leroy Dale Hines	For U. S.: Ben F. Baker U. S. Asst. Attorney Tulsa, Oklahoma For Defendant: Bruce Green (RT.) 504 Court St. Muskogee, Okla. 74401 39-683-2909

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 3-31-71	Clerk				
J.S. 3 mailed 4-30-71	Marshal				
Violation Gambling Offenses	Docket fee				
Title 21					
Sec. 1952					

DATE	PROCEEDINGS
3-26-71	Indictment, filed in open court. js
3-26-71	Record vote of the Grand Jury, filed in open court. js
3-26-71	Ordered by the Court that the bond of the defendant is fixed in the sum of \$5,000.00 (Allen E. Barrow - Judge) js
3-26-71	Warrant for arrest of the defendant, issued. js
3-30-71	Appearance Bond, filed. js
3-30-71	Order Specifying Methods & Conditions of Release, filed. js
3-30-71	Defendant present in person and represented. Defendant advised of charge, arraigned and enters pleas of NOT GUILTY as to Cts. 1,2,3&4, and case to be set on next jury docket. Defendant granted 15 days to file motions. Court fixes bond of the defendant in the amount of \$7500 cash bond (and in case 71-CR-48) Defendant granted leave to leave district in aid of defense. (AEB-J)h
4-7-71	Warrant for arrest, returned & filed: defendant appeared voluntarily. g
4-14-71	Motion of Leroy Dale Hines, to suppress, with brief, filed. ds
4-14-71	Motion of Leroy Dale Hines to consolidate cases 71-Cr-47 and Case 71-Cr-48, with brief, filed. ds
4-14-71	Motion of Leroy Dale Hines for preliminary hearing, with brief, filed. ds
4-14-71	Motion of Dale Leroy Hines for statements of witnesses, with brief, filed. ds

over

DATE	PROCEEDINGS
4-14-71	Motion of Leroy Dale Hines for discovery, with brief, filed. ds
4-14-71	Motion of Leroy Dale Hines to dismiss, with brief, filed. ds
4-14-71	Motion of Leroy Dale Hines for bill of particulars, with brief, filed. ds
4-20-71	Motion for continuance, with supporting brief, filed. g
4-22-71	Govt's response to def't's pre-trial motions, filed. m
4-27-71	Defendant present in person and represented. Hearing on motions held. It is ordered that motion to suppress; <u>under advisement</u> ; motion to consolidate with 71-CR-48 under advisement. Attorneys for defendants in 71-CR-48, all object to consolidation; motion for preliminary hearing overruled; Motion for statements of witnesses before Grand Jury, granted, if will testify at trial; motion for discovery, sustained; motion to dismiss overruled without prejudice to file again; motion for bill of particulars, moot and motion of government for continuance granted. Clerk directed to furnish copies of wire-tape order to defendants for discovery. (AEB-J)h Defendant granted 15 days in which to submit proper order of hearing. (AEB-J)h
5-13-71	Order to strike case from the Trial Docket of 5-3-71 and that case is continued and to be set at a later date. (AEB-J)r Filed.
5-14-71	Order ruleing on Motion, filed (AEB-J) js (Motion to Suppress - ^{continued} granted , Motion for Preliminary hearing - denied, Motion for Consolidation for Trial - ruled on later, Motion for Consolidation for Trial- ruled on later, Motion for Statement of Witnesses, granted, Motion for Discovery granted, Motion To Dismiss, over ruled, Motion for Bill of Particulars-granted. js
5-26-71	Bill of Particulars, filed. g
6-30-71	Plaintiff's application for extension of time to respond to defendants motion to suppress and dismiss, filed. v
6-30-71	Order granting pltf's Extension of time to respond to Deft's Motion until 7-15-71. (AEB-J)r m.o.
7-26-71	Response to defendant's motion to suppress, filed. g
9-9-71	Hearing held on motions. It is ordered that defendant's motion to consolidate this case with 71-CR-48 is taken under advisement and defendant's motion to suppress is taken under advisement, and case is passed for pre-trial hearing on Thursday, Sept. 16, 1971 at 10:00 A.M. Case to be set on Jury Docket of Oct. 18, 1971. (AEB-J)h
9-16-71	Case called for hearing and decision on motions. Def. present and represented. It is ordered that defendant's motion to consolidate and motion to suppress are each overruled. Defendants Wolverton, Poe and Rucker withdraw their objections to motion for consolidation of Hines. Defendant's oral motion to try this case at a later date than 71-CR-48 is granted and case will be tri to a later jury panel. (AEB-J)h
9-16-71	Case called for hearing and decision on motions. It is ordered that defendant's motion to consolidate and motion to suppress are each overruled. xAttk Attorneys for defendants, Wolverton, Poe and Rucker withdraw their objections to motion for consolidation of Hines. Defendant's oral motion to try this case at a later date than 71-CR-48 is granted and case will be tried to a later jury panel. (AEB-J)h
11-12-71	Case set for Jury trial on Mon. 11-29-71 at 10:00am. (AEB-J)h
11-29-71	Brief of defendant Hines, filed. g
11-30-71	Memorandum Opinion and Order, filed and Entered. The Court finds that a Judgment of Acquittal must be granted to the Deft., filed and entered. (AEB-J)r (copies mailed to attys)
11-30-71	Case tried to a jury on Nov. 29, and 30, 1971. Defendant's oral motion for dismissal as to all 4 counts is sustained , changed to read motion for acquittal, and is sustained as to all 4 counts, and defendant is acuquitted. Order of acquittal to be filed by the court. Parties granted leave to withdraw exhibits. Jury excused. (AEB-J)h
12-2-71	Order for transfer of wiretap tapes to The Fed. Bureau of Investigation, filed. ds

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DATE	PROCEEDINGS
12-9-71	Return on subpoena to testify, filed. Served Charles Giallombardo at West Covina, Calif. on 11-23-71. ds
12-15-71	Notice of Appeal filed, by govt.h (cpy to USCA & Bruce Green)
1-14-72	Transcript of trial proceedings (orig. +1 cpy), filed. (LEM-CSR)g
1-24-72	Motion granted extending time for appellant to file docketing statement to 2/14/72, filed. (H.K. Phillips, CA Clerk)
1-24-72	Motion for extension of time to docket appeal, filed. g
1-31-72	Order extending time to docket appeal an additional 30 days, or to Feb. 23, 1972, filed. (AEB-J) cpies mailed.
2-8-72	Withdrawal of notice of appeal by plaintiff-appellant, filed. g cpy to USCA & Bruce Green.
10-12-72	Application of USA for order to dispose of seized property of deft., filed. g
10-17-72	Response to application for order to dispose of seized property, filed. ds
10-20-72	Order, filed that def. Hines is granted 15 days to file proper pleadings agreeing to destruction and disposal or to claim return of property in question; further ordered def. is granted 15 days to further plead. (AEB-J)rm - copies mailed
11-6-72	Deft's application for extension, filed. hm <i>copy to L. Hines</i>
11-8-72	Order granting def. Hines to 11/22/72 to further plead, (AEB-J)rm-cp.md.
3-26-73	Motion for return of seized property, filed. hm <i>copy to L. Hines</i>
3-26-73	Brief in support of motion for return of property of movant, John L. King, filed. hm <i>copy to L. Hines</i>
3-28-73	Govt's response to motion for return of seized property filed. h
4-26-73	Reply to Response of Plaintiff to Motion for Return of Seized Property, filed. v <i>To b. 8</i>
4-26-73	Brief, filed. v <i>w</i>
5-3-73	Second response to motion for return of seized property filed. h
5-9-73	Motion of John L. King, assignee of def. to produce, w/brief, filed. rm <i>copy to L. Hines</i>
12-18-73	Order, filed and entered, overruling mo/ret. of property and mo/produce of assignee, John L. King; further ordered that govt.'s mo/dispose of seized property in custody of U. S. Marshal is sustained; Marshal directed to honor notice of levy of IRS. (AEB-J)rm (copies to U. S. Atty, Bruce Green, Paul Garrison and U. S. Marshal.
9-24-74	Marshal's return on Order of 12-18-73, with proof of publication, filed; property released as shown on return. g
3-19-81	ORDER granting USA (petitioner) authority to destroy the tape recordings of the wire intercepts. Copies in Case Nos. 71-CR-48 & M-503. (HDC-J) pt cps/USAtty.

DATE	PROCEEDINGS